HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION NO.16936 OF 2000

Between:
M/s.Sree Ramakrishna Station,
BPC Dealers, Bayyavaram NH 5,
Visakhapatnam represented by its
Managing Director.

..... Petitioner

AND

Bharat Petroleum Corporation Limited,
Bharat Bhavan, 4 & 6 Currimbhey Road,
Ballard Estate, Mumbai and another.

.....Respondents

::ORDER::

Counsel for the Petitioner : Smt.G.Jhansi

Counsel for the Respondents : Sri O.Manoher Reddy

Dated 8.8.2007

In this petition, the petitioner has prayed for quashing the action taken by respondent No.2 to suspend the supply of petroleum products pursuant to show cause notice dated 24.7.2000.

At the hearing, Smt.G.Jhansi invited the court's attention to the averment contained in paragraph 9 of the counter affidavit filed on behalf of the respondents to show that till this day, final order has not been passed by the competent authority in the matter of show cause notice dated 24.7.2000.

Sri O.Manoher Reddy, learned counsel for the respondents says that the final order will be passed by the competent authority within a period of one month from today after giving opportunity of hearing to the petitioner's representative and till then the order of suspension of supply will not be given effect to. He also pointed out that while admitting the writ petition, this Court had stayed the implementation of the suspension order and the petitioner is regularly getting the supplies.

In view of the statements made by the learned counsel, the writ petition is disposed of with the following directions.

1. Within one month from today, the competent authority of Bharat Petroleum Corporation Limited shall pass appropriate order in relation to the subject matter of show cause notice. While doing so, the concerned authority shall give an opportunity of

personal hearing to the representative of the petitioner.

2. If the petitioner feels aggrieved by the final order, then it shall be free to avail appropriate legal remedy.

G.S.SINGHVI, CJ

8.8.2007

msv